

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *EG* D.C.  
05 JUL 21 AM 10:45  
THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TN, MEMPHIS

OLIVIA MYART,

Plaintiff.

v.

WAL-MART STORES, INC.,

Defendant.

Case No. 2:05-CV-2060-B/And

JURY DEMANDED

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SCHEDULING ORDER

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Pursuant to written notice, a scheduling conference was set for July 6, 2005. Present will be James E. King, Jr., counsel for Plaintiff, and Brian A. Lapps, Jr., counsel for Defendants. Prior to the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed. R. Civ. P. 26(a)(1): July 20, 2005

JOINING PARTIES: September 7, 2005

AMENDING PLEADINGS: September 7, 2005

COMPLETING ALL DISCOVERY: February 6, 2006

- (a) DOCUMENT PRODUCTION: February 6, 2006
- (b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS: February 6, 2006

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 7-21-05

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

- (1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT INFORMATION: December 6, 2005
- (2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION: January 6, 2006
- (3) SUPPLEMENTATION UNDER RULE 26(e): January 16, 2006
- (4) EXPERT WITNESS DEPOSITIONS: February 6, 2006

FILING DISPOSITIVE MOTIONS: March 6, 2006

The Final list of witnesses and exhibits pursuant to Rule 26(a)(3) must be filed with the Court:

1. For the Plaintiff forty five (45) days before trial; and
2. For the Defendant thirty (30) days before trial.

The Parties shall have ten (10) days after service of the lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 4 days. The presiding judge will set this matter for **JURY TRIAL**. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the Court at least ten (10) days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60 shall be accompanied by a proposed Order and a Certificate of Consultation.

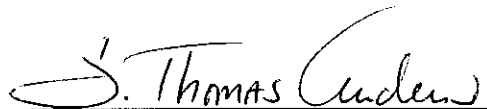
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

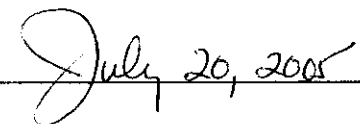
The parties have not consented to trial before the magistrate judge.

***The parties are ordered to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.***

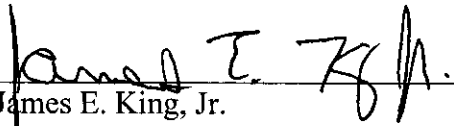
This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

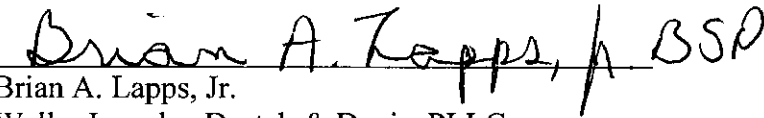
  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

DATE: 

AGREED AND APPROVED FOR ENTRY:

  
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Attorneys for Defendant, Wal-Mart Stores, Inc.



## Notice of Distribution

This notice confirms a copy of the document docketed as number 15 in case 2:05-CV-02060 was distributed by fax, mail, or direct printing on July 21, 2005 to the parties listed.

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Honorable Bernice Donald  
US DISTRICT COURT